Edn 18 P.H. (1945) Department.

SERIES.

G.O. No. 984 P.H. Order at

40

Dated 12-4-45.

[Despatch Abstract.]

Town-Planning - Mangalore Municipality - Falnoor Town-Planning Scheme - Betterment contribution -Waiver of a portion - Permitted.

ef:C3-12546-44.

Municipal Office, Mangalore,
Dated the 15th December 1944.

-3-

rom

Sri K.Ramaswami Mudaliar,
Commissioner, Mangalore Municipality,
Mangalore.

The Secretary to the Government of Madras,
Education & Public Health Department, Madras,
M a d r a s.

hrough

The Director of Town Planning, Madras.

&

The Chairman, Municipal Council, Mangalore.

ir,

Subject: Town Planning -- Falnir Town Planning scheme - evy of betterment contribution - postponement for duration of ar -- requesting.

=====

The Falnir Town Planning scheme was sanctioned by Government under section 14 (3) of the Madras Town Planning Act in G.O.No. 1631 P.H. dated the 3rd May 1937. The Municipal Council filed the claims for betterment contribution before the Arbitrator appointed for the purpose as required by clause 22 (of the scheme and the latter passed his award on 30th June 1941 declaring certain areas in the scheme to be liable for payment of betterment contribution. Government however, in G.O.No. MS 379 P.H., dated the 2nd February 1942 waived the levy of betterment contribution for the years 1938-1939 to 1940-1941 in view of the difficulties and hardship which would result in the collection of the betterment contribution in a lump sum for a space of 3 years. Subsequently in G.O.No. 40437/43-2 H, P.H., dated the 5th January 1944 Government stated that the betterment contribution could be levied for 14 years from 1944-45.

2 With the sanction of the Inspector of Municipal Councils and Local Boards, Madras, a Revenue Officer was appointed for 3 months for the period from 21st August 1944 to 20th November 19 to draw up the assessment register after making local enquiries in the area as to the ownership, extent of land, etc. for purposes of levying the betterment contribution. The work has just been completed and steps have now to be taken for issuing the necessary notices etc and for collecting the Betterment contribution.

3 The Municipal Council, however, in its resolution No.39 dated the 20th November 1944 - copy enclosed - resolved that th levy of betterment contribution from the Falnir Town Planning area be postponed for the duration of war and that the assessments for the current year in respect of the Falnir Town Planni area be delayed till a reply is received from Government on thi reference. Prices and scarcity of materials, rise of wages etc due to war conditions ordinary people often find it difficu to meet both ends meet. It is therefore felt by the council that the rate payers be not overburdened with a fresh burden at this inopportune time. On account of war conditions, again, the market price of land has temporarily risen up and it appears no fair to take advantage of this inflation. It is learnt that the Virudhunagar Municipality has been exempted from collecting betterment contribution in respect of its schemes for this reas Moreover, the legal aspect of this is still under examination by the Town Planning Committee after obtaining expert legal opinion in view of paras 10 and 13 of your letter D.Dis.No.185 -44, dated the 10th January 1944. Further regarding the questi as to whether the owner or the tenant is liable to pay the contribution, the legal advice given to the council is that t former alone is primarily liable. This town being one in whic

the mulgeni tenure is inforce which has occasioned a special enactment even in respect of land revenue, the Town Planning committee has to consider the matter deeply. The committee has not yet come to a decision and the point and on account of its complicated nature, is likely to take some more time to do so. Unless this point is decided, it is not possible to make assessments and issue notices of demand.

I therefore request that Government be pleased to pass necessary orders in the matter of postponing the levy of betterment contribution from the Falnir Town Planning area for the duration of the war and pending such orders to permit the assessments for the current year to be delayed till a reply is received from Government.

16.12.44.

COMMISSIONER.

Extract from the Proceedings of the Mangalore Municipal council, dated the 20th November 1944.

x x x

Resolution No. 39.

Read letter dated the 30th October 1944 from Mr. C. L. Lobo Vice-Chairman, Municipal council, intending to move the following resolutions :-

1. "That the levy of betterment contribution from the Falnir Town Planning area be postponed till the duration of the war.

2. "That the assessments for the current year in respect of the Falnir Town Planning area be delayed till a reply is received from Government to our reference on the subject.

39(1) and (2) Proposed by Mr. M. S. Sreshta, seconded by Mr. F. Pais.

CARRIED UNANIMOUSLY.

x x x

sd/C. L. Lobo,
Vice-Chairman, M. C.
under Section 18(1)

/True Extract/

Municipal Office, Mangalore,
Dated the 15th Decr. 1944.

16.12.44.
COMMISSIONER.

H/15.12.44
compd:- 16.12.44.

Rc.No.2472/44.

02724 -

Record Office Buildings,
Egmore, Madras, D/15-1-45.

To

The Secretary to Government
Education and Public Health Department.

Sir,

Sub: Town Planning-Falnair Town Planning-Scheme-Levy of betterment contribution-Post-ponement for duration of war-remarks-

Ref: Letter No.C3-12546-44 dated 15-12-44 from the Commissioner, Mangalore Municipality.

I, 1-2 cont

The above letter is forwarded to Government with the following remarks:-

The case cannot be dealt with on the analogy of the Virudhunagar, Kathalampatti Extension Town Planning Scheme, where the Municipality did not carry out any works or improvements and where land values has increased due to conditions of war, purely due to speculation. The Executive authority of Mangalore may be directed to proceed with the assessment and collection of betterment contribution in accordance with section

P.T.O.

24 of the Town Planning Act and the Town Planning Rules.

2. With regard to levy of betterment on the owner or tenant, the Commissioner should act on the legal advice taken by him in the matter and issue the notices of demand and make the assessments during 1944-45, as already ordered in memo of Government No.40437 H/43-2 dated 5-1-44.

(P) PP 11-12

Encl: 1 letter.

K D Kanhere 18.1.45

For Director of Town Planning.

18-1-45

Js.17/1

Revenue No 2724-1H · P.H. dated 25.1.45

Town-planning - Mangalore Mpclty - Fahreer Scheme -
~~Levy of~~ betterment contribution - Collection - postponem

From the Comm^r Mangalore Mpclty, No C3-12546-44
15.12.44

The Comm^r, Mangalore Municipality, is requested
to furnish ~~information as to the extent of increas~~ figures to show the increase
in the valuation of the properties which war condition
(are stated to)
have caused this year and the approximate
amount of loss which the municipal Council will
incur (Annually) if the proposal of the Council is approved,
~~He is also requested to together with the~~ He may also state the basis on
which those figures have been worked out. Figure
KB 25.1.45 of land values per Acre as in R^L year
1928, and figures of such values in

respect of the ~~from~~ three years from
1942-43 may be furnished —

5.1.45

28/1/45

To

The Comm[illegible]
Mangalore
M[illegible]
Thro' R[illegible]

E-R 27/1 despatched
on 16.2.45

Ref:C3/12546-44.

Municipal Office, Mangalore,
Dated the 14th March 1945.

From

Sri B. Suryanarayana Rao, M.A.,
Commissioner, Mangalore Municipality.
Mangalore.

The Secretary to the Government of Madras,
Education & Public Health Department,
Fort St. George. M a d r a s.

Through

The Chairman,
Municipal Council, Mangalore.

Sir,

Subject:- Town Planning - Mangalore Municipality - Falnir Town Planning Scheme - Betterment contribution - levy - postponement - Particulars furnished.

Reference: Government Memorandum No. 2724-1 P. H., dated the 25th January 1945.

A statement furnishing the figures to show the increase in the valuation of the properties during the year 1944-45 over the figures relating to the years preceding it is enclosed herewith. As per this statement the total betterment contribution due for 1944-45 amounts to Rs.14,388-10-11 while the amount of contribution due for each of the three preceding years is Rs.3,411- 5- 6. If the council's proposal is approved by Government, the loss which the council will incur annually will be approximately Rs.13,000 making allowance for 10 per cent of the demand for amounts remitted on revision petitions and exemptions granted.

In estimating the market value of the property as on 1st April 1944, the rates of value fixed by the Arbitrator and the District Judge as in 1928 were kept in view. The amenities already derived by the properties were also taken into account. Besides, there were few instances where properties situated in the scheme area were sold during 1943 and 1944. The sale prices of these lands were ascertained from the Registrar's office by deputing the Revenue Officer specially appointed for preparation of the betterment contribution list. With the help of all these materials the increase in the value of properties was worked out.

P.T.O.

the figures of land value per acre as in the year 1928 and such figures for 1941-42, 1942-1943, 1943-1944, and 1944-45 are also furnished in the statement.

4 In this connexion I have to submit that as per proviso to Section 23 of the Madras Town Planning Act the aggregate amount of contribution that may be collected in respect of any property is limited to one half of the maximum increase in value during the term sanctioned for the scheme. In the present case the period sanctioned for the scheme in question is 20 years from 3rd May 1937 (date of sanctioning the scheme) and the betterment contribution to be levied at 7 1/2 % of the increase in value per annum. In about 7 or 8 years the council can collect its share of betterment contribution under normal conditions. As still 12 years are remaining in the term, it may not be too late for the council to collect its share of betterment contribution before the end of the term, if the levy is postponed by 2 or 3 years i.e. for the duration of War. If the collection of betterment contribution thus postponed after is resumed after the war no loss will result to the council. If the period of duration of war from now exceeds 3 years, loss is likely to result as a minimum period of 7 or 8 years will be necessary before the term expires for collecting council's share of one half of the increase in value.

15/3

Commissioner.

Forwarded:

Chairman, M.C.

Encl:One.

H/14.3.45.

Compd :-

1	2/2	4000		5000	6000	50	3	5
2	3/2	4000		5000	5500	51	12	0
3	4/1	4000		5000	5000	93	11	5
4	4/2	4000		4250	5500	79	13	11
5	7	4000		4250	5500	44	3	10
6	8	4000	5000	4500	5400	18	4	10
7	9	4000		5000	4100	0	2	5
8	10 A1	4000	Claim for bett. contribution dis allowed by Dt.Judge	4200				
9	10 B	4000		4500	5500	19	2	0
10	29	4000	5000	4000	5500	57	8	0
11	30/1	4000		4000	5500	52	10	1
12	30/2A	4000		4000	5500	54	13	11
13	30/2B	4000	5000		5500	12	14	0
14	45	3500		4000	5500	12	8	0
15	47/1	3500		3500	5000	27	0	0
16	47/2	3500		3500	5000	27	0	0
17	48	3500		3500	4500	11	15	11
18	49/1	3500		3500	5000	45	0	0
19	49/2	3500		3500	4500 5000	82	10	10
20	521/4B1	3500		3500	5250			

Both contribution payable shown in Serial No.22

21	521/ B2	3500		3500			5000	169 14 8	
22	522/1	3500	4000	3500			5250	64 12 4	
23	522/2	3500		3500			5250		Do 19
24	525	3500		4000	71 4 0		4000 4750	195 6 0	
25	527	4000	(for 527/1	4000			5250 4750	188 7 0	
26	529	3500		3500			4500	66 0 0	
27	530	4000	4500	4000			5500	34 15 2	Betterment contribution payable is shown in S.No.27
28	531/2	3500		3500			5500		
29	532/1	3500		4500	1 8 0		5500	0 0 0	
30	532/2	4000		4000			5500	15 0 1	
31	532/3	4000		4500	3 0 0		5000	7 8 0	
32	532/4	4000		4500	7 14 0		5000	15 0 0	
33	532/5	3500		4000	5 4 0		5000	14 3 5	
34	534	3500		4000	41 10 0		5000	120 2 11	
35	535	3000	000	3500			5000	48 12 0	
36	537	3000		3500	59 4 0		5000	229 14 0	
37	538	3000		3500	19 14 0		4500	59 11 0	
38	540/1	3000		3500	9 0 0		4750	32 10 1	
39	541/1	3000		3750	57 6 0		4750	86 10 0	
40	543/1	3000		3650	2 4 0		4750	52 8 0	

41	543/2	3000		3750	4500				
42	544	3000	3500	3400	4000				
43	545	3000	3500	3500	4500 4000	113	10	0	
44	546	3000		3500	4500 50	143	8	0	
45	547	3000		3000	4250 4100	62	7	0	
46	548	3000		3000	3500	21	6	0	
47	549/1	3000		3000	4000	19	8	0	
48	549/2	3000		3000	5000				Bett.contrn. payable shown in S.No.23
49	551/A	3000		3000	4000	56	14	0	
50	551/B1	3000		3000	5000 4200	177	2	10	
51	551/B2	3000		3000	4000	3	3	0	
52	551/C1	3000		3000	4000	0	15	0	
53	551/C2	3000		3000	5000	201	6	0	
54	552/B	3000		3000	4500	48	12	5	
55	552/C	3500		3500	4750				Do S.No.56
56	553/1	3500		3500	4750				do
57	553/2	3500		4000	4750	88	3	4	
58	554/1	3000		3000	4750				Do S.No.61
59	554/2	3000		3000	4500	140	10	0	
					4200 4100	70	14	1	

60	554/3	3000		3200	4	8	0	4250 4100	26. 4. 5	
61	554/4	3000		3500	123	6	0	4750	310 2 0	
62	554/5	3000		3000		-		4750	-	--do-- S.No. 56
63	555/1A	3000	4500	3500				4600	3 6 0	
64	555/1B1	3000	4500	3500				4600	5 4 0	
65	555/2	3000	Cliam for bett. contribution dis allowed by Dt.Judge	3300						
66	555/3	3000		3300	83	2	10	4200 4300	93 10 9	
67	555/2	3500		3800	80	7	7	4600	74 11 8	
68	560	2000	do	2000						
69	561/A	3500	3500	3500				(4100 (4200 (3600	195 2 5	
70	561/B2	3000		3000				Used as read		
71	561/C1A	3000		3500	82	14	0	4100 4200	18 6 1	
72	561/D	3000		[illegible]				4100 4200	2 12 5	
73	562/ A	3000		[illegible]	4	14	0	4200	11 11 2	
74	562/B	3000		[illegible]	5	0	0	5750	1 8 0	
75	565/A	3000		[illegible]	11	4	0	4200	27 13 2	
76	565/B	3000						4300	24 0 0	

77	569	3000	3500	3500			4300 4200 4100	73	15	2	
78	571	3000		3000			4100 4200 4300		--		Bett.contribution payable shown in S.No.71
79	572/A1A	3000		3500	7	14 0	4300 4200	32	13	8	
80	572/A2	2000	3500	3500			4300	12	9	7	
81	572/A3	2000		This is a public road							
82	592/B	2000	3500	2000			4200	9	7	2	
83	573/2	3000		3000			3800		-		Do S.No. 86
84	574	3000		3000			3700 3800 3900	83	12	9	
85	575	3000		3000			3900 3800	34	8	0	
86	576	2500		3000	41	10 0	3800	113	1	8	
87	577/1	3000		3300	3	13 2	3500	12	5	9	
88	577/3	2000		3250	3	9 0	3500 3250 3400		--		Do S.No. 96
89	579/1										
90	579/3	2000		2500	12	0 0	3800 4000		--		Do S.No. 93
91	580/1	2500		3200	79	12 10	4200	195	1	5	

9[illegible]	580/2	2000	3500	2750			3800	28. S. 7		
9[illegible]	580/4	2000		2500	34	2	0	3800 4000	175. 0 10	
94	580/5	2000		2000				3600	94 11 7	
95	580/6	2000		2000				3250 3400 3500		De S.No. 96
96	580/8	2000		2300	13	11	7	3250 3400 3500	113 4 0	
97	580/8	2000		3200	128	11	2	4200	160 15 2	
98	582/C	3500		4000	0	6	0	4500		De S.No. 101
99	582/C	2000		2500	0	6	0	4200		de 100
100	583	2000		2500	13	14	0	4200	63 7 2	
101	584	3000		3200	13	10	5	4500	69 0 0	
102	586/1	3000		3000				4500	15 15 6	
103	586/2	3000		3000				4500	27 6 0	
104	586/3	3000		3000				4500	40 5 8	
105	586/4	3000		3000				4500	19 13 4	
106	587/1	2000		2300	48	6	0	4000 3000 3250 3500	182 15 0	
10	587/2	2000		2300	8	5	2	3500	41 0 0	
108	587/3	2000		2200	6	14	5	3500	49 8 0	

109	587/4	2000		2000	5	6	5	3000	18	0 0
110	587/5	2000		2200	9	10	10	3000	32	4 0
111	589	2000		2300	29	0	5	2800	30	8 5
112	590	2000		2300	9	14	5	2800	9	14 5
113	591/ A1	3000	3500	3300				3600	31	0 0
114	591/ B1	2000		3000	42	12	0	4200	94	0 10
115	591/B3	2000		3000	78	0	0	4000	56	0 0
116	601/1	3000	3500	3300				4200	37	12 10
117	601/3	3000	3000	3300				3100	108	9 7
118	602/A2	2000		2500	35	10		3800	128	4 0
119	602/B	2000	2500	2000				3500	62	4 0
120	604	2000		2000				3000	5	4 0
121	605	2000	Claim for Bett. contribution over a portion disallowed by Dt. Judge.	2000				3200	19	6 10
122	606	2000	2500	2000				3200		Bett. contribution payable shown in S.No.123
123	607	2000	2500	2000				3200	30	7 2
124	608	2000	2500	2000				3000	4	8 0
125	610	2000		2000				3000	63	12 0
126	611/A1A	2000		2000				3000	10	8 0

127	611/A1B	2000		2000		3000	11	4 0
128	611/A2	2000		2000		3200	39	9 7
129	611/A3A	2500		2700	3 7 1	3400	15	8 5
130	611/A3C	2000		2200	8 11 1	3400	4	3 2
131	611/A3C	2000		2700	2 1 7	3400	60	14 5
132	611/B1A	2000		2700	37 [illegible] 0	3000		
						3400	203	5 2
						3700		
133	611/B1A	2000		2000		3000	51	6 0
134	611/B1A	2000		2000		3000	20	10 7
135	611/B2	2000	2500	2000		3000	81	12 0
136	611/C1	2000		2700	31 [illegible] 0	3000		
						3400	38	6 5
137	611/C3	2000		2100	26 [illegible]	3000		
						3400	319	1 11
138	611/D	2000		2000		3000	169	8 0
139	611/E	2000		2000		3000	156	0 0
140	612/1	2000	3000	2100		3100	67	8 0
141	613	2000	2500	2000		3000	4	11 7
142	614	2000	2500	2000		3100	2	10 0
143	618/2	2000		2000		3000		

Bett contribution payable shown in S.No. 148

144	618/3	2000		2000	3200		payable Bett contribution/shown in S.No. 149
145	618/3	2000		2000	3200		do S.No. 147
146	621/1	2000		2000	3200	5. 12. 5	
147	621/2	2000		2000	3200	3 10 10	
148	621/3	2000		2000	3200	4 0 1	
149	621/4	2000		2000	3200	33 11 5	
150	622	2000	3000	2000	3100 3200	1 9 2	
151	624	2000	3000	2000	3100	2 11 2	
152	625/A	2000	2500	2000	3 00	18 0 0	
153	625/B	2000		2000	3200		Do S.No. 147
154	625/C	2000		2000	3000 3100	25 12 10	
155	625/C2	2000		2000	3000	8 4 0	
156	626/A	2000	2500	2000	2700	5 13 7	
157	626/B	2000		2000	2600	13 0 10	
158	627	2000	2500	2000	2000	3 3 7	
159	628/1	2000		2000	2600	1 10 5	
160	628/2	2000		000	2600	3 2 5	
161	629	2000	2500	2000	2700	5 8 10	
162	630	2000	2500	2000	2700	2 4 0	
163	631	2000	2500	2000	2700	6 0 0	

20/

20/

164	632/2	2000	2500	2100		3500 3000	262 8 0	
165	634/1	2000	3000	2100		3500	3 12 0	
166	634/3	2000	2500	2500		3500	9 12 0	
167	635	2000	2500	2500		3250		Do S.No.172
168	636	2000	2500	2500		3000	8 4 0	
169	637	2000	2500	2000		2700		Do S.No. 156
170	638/A2	2000	2500	2000		3250		Do S.No. 175
171	638/B	2000		2500	13 8 0	3250	33 12 0	
172	638/C	2000	2500	2500		3250	12 15 0	
173	638/D	2000	2500	2500		3250		)
174	638/E	2000	2500	2000		3250		) Do S.No.172
175.	639	2000		2500 2700	8--8--5	3250	7 5 0	
176	641	2000		2700	2 6 5	3250	20 12 0	
177	642	2500	Claim for bett. contribution dis allowed by. the Dt.Judge.	2700				
178	644	2000		2000		3000	9. 12 0	
179	645	2000		2000		4000	15 12 0	
180	647	2000		2000		3200	4 5 7	

181	648	2000	2000			3500	3 12 0
182	650/1	2000	2000			4500	25 8 0
183	650/2B	3500	3500			4500	15 11 2
184	651	3500	3500			4500	75 12 0
185	652/1	3000	3000			4000	138 12 0
186	652/2	3000	3000			3500	15 0 0
187	652/B	3000	3000			3206	0 7 2
188	654	2500	2500			3000	13 14 0
189	657	2500	2700	2 6 5		3250	Bett.contribution payable shown in S.No.176
190	657/B	2500	2500	4 8 0		3250	Do No. 175
191	658	2500	2500	7 8 0		3200	31 8 0
192	659	2500	3000	42 12 0		3500	105 0 0
193	660	2500	3000	13 2 0		2750 3202	13 2 0
194	661	2000	3000	37 8 0		3450	53 13 7
195	662	2000	2500	15 6 0		3000	15 0 0 15 12 0
196	663	2000	2500	38 4 0		3000 3200	76 8 0
197	664/1	2000	000ø			2750	2 10 0
198	664/2	2000	2000			2750	1 0 10
199	665	2500	500			2700	0 4 10

200	666/2A	2000		2000		2800	7 3 2	
201	666/2B	2000	2500	2000		2800	7 12 10	
202	667/A1	2000		2000		2800	3 9 7	
203	667/A2	2000		2000		2800		De No. 202
204	667/B1	2000		2000		2800	4 12 10	
205	667/B2	2000		2000		2800		De No.204
206	668	2000		2000		2800	4 3 2	
207	673	3000		3300	39 6 0	3500	12 9 0	
208	674	3000		3300	48 2 5	4000	55 8 0	
209	675	3000	3500	3300		4000	11 10 0	
210	676	3000	3500	3000		3800 4000	11 8 0	
211	677	3000	3500	3000		4000	3 6 0	
212	678/2	3000	3500	3000				Vide
213	679	3000	3500	3000		4000	3 0 0	
214	680/2	2000	3000	2000		3500		De S.No. 223
215	680/3	2000						
216	681/1	2000	2500	3000		2800	6 12 0	
217	682/A 682/B	2000 2000		3000 3000		3200 3300	7 14 6 2 2 10	
218	683	2000		20000		3:00	7 12 0	
219	684							

220	686	2000	3500	3000		4400	87 1 2	
221	687/B	2000	3500	2000		4000		Betterment contribution shown in S.No. 222
222	688	3000	3500	3100		4000	40 5 7	
223	689/1B	2000	3000	2000		3500	73 8 0	
224	689/2	3000	3500	3000		4000		De No. 22
225	690/A	2500		3100	33 12 0	4400	59 13 7	
226	690/B	2500		3100	0 14 5	4500 4200		Do S.No. 230
227	690/C1	2500		3100	46 2 5	4000	159 14 10	
228	690/C3	2500		3100	2 11 2	4500 4200		De S.No. 230
229	690/C4	2500		3100	0 7 2	4000	38 6 2	
230	691/1	3000		3300	5 2 10.	4500 4200.	164 0 9.	
231	691/2	3000		3300	4 4 5	(4500 (4200		De No. 230
232	692	3000		3750	26 6 5	4500	52 14 0	
233	693/1	3000		3300	7 3 2	(4500 (4200		Do No. 230
234	693/2	3000		3200	5 4 0	4800 4200		Do No. 230
235	694/1	3000		3000		4500 4200		De No.230
236	694/2	3000		3000		4500 4200		Do No.230

237	695	3000	3500	102	12	0	5000	217	14	0
238	697/A1	2500	4500	861	0	0	5000	787	14	0
239	697/A2	2500	4500	115	8	0	5000	135	12	0
240	697/E	2500	4500	30	0	0	5000	37	8	0
241	698	3000	3200	13	0	10	4000 4300	156	13	2
242	699	3000	3200	19	12	10	4500	147	6	0
243	700	3000	3000				4200	93	1	7
244	701	3000	3000				4000 4300			Do No.241
245	702/1	3000	3000				4300			Do No. 247
246	702/2	3000	300[redacted]				4300	36	1	2
247	703/1	3000	30[redacted]				4300	69	3	7
248	703/2	3000	30[redacted]				5000	70	8	0
249	703/3	3000	3000				5000	120	0	0
250	703/4	3000	3000				4300	51	9	7
251	704	3000	3000				5000	202	8	0
252	705	3500	4000	78	6	0	5500 5000	272	10	0
253	706	3000	3500	14	10	0	5500	24	6	0
254	707	3000	100	25	8	0	4300	52	4	5

255	708/1	3000		4000	48	0	0	4300	62	7	7	
256	708/2	3000		4000	108	12	0	5000	216	15	7	
257	709/2A	3000	3500	4000	1	8	0	5000				Bett contribution payable shown in S.No. 260
258	709/2B	3000		4000	0	12	0					R o a d
259	709/3											
260	710	3000	3500	4000	58	8	0	5000	202	8	0	
261	711	3000	3500	3000				3600	3	13	8	Bett.contribution payable shown in S.No.267
262	712	4000		4100	15	3	7	5000 5500	189	12	0	
263	713	4000		4500	14	4	0	5000	42	12	0	
264	714	3500		3500				5000	65	4	0	
265	715	4000		4000				5000	54	0	0	
266	718	3500		4000	38	4	0	5500				
267	719	3500		4000	72	12	0	550	421	8	0	Do S.No. 266
268	720	3000		3000				450 430				Do S.No.254
269	722	3000		3000				430				Do S.No. 254
270	724	3500		3500				550	119	0	10	
271	725/1B	3500		3500				5500				Do S.No.270
272	725/2	3500		3500				5000				Do S.No.251
273	725/B	3500		3500				5500				Do S.No. 270

274	726.	3500		3500	5000		Do S.No. 251
275	191	3000		3000	3200	3 2 5	
276	192	3000		3000	4500	14 11 11	
277	193	3000		3000	4500	6 12 0	
278	194/1	3000		3000	4000	19 8 0	
279	194/2	3000		3000	4000	20 3 9	
280	194/3	3000		3000	4000	16 8 0	
281	202	3000		3000	4500	92 4 0	
282	222	3000		3000	4500	83 4 0	
283	223	3000		3000	5000	91 8 0	
284	227	3000		3000	4000	7 8 0	
285	228	3000		3000	4000	50 4 0	
286	229	3000		3000	3500	13 8 0	
287	230	3000		3000	4000	45 12 0	
288	234/3	3000	Claim for betti contribution disallowed by. Dt.Judge.	3000			
289	234/5	3000		3000			
290	234/6c1	3000		3000	3300	0 3 7	
291	234/6C2	3000		3000	3300	1 15 2	
292	234/6D	3000		3000	3300	1 15 2	

LIST OF LANDS DECLARED LIABLE FOR BETTERMENT CONTRIBUTION [illegible] ACRE FIXED BY THE ARBITRATOR AS IN 1928 AND THE EXECUTIVE AUT[illegible] AND THE AMOUNT OF BETTERMENT CONTRIBUTION PAYABLE.

[illegible]ING SCHEME SHOWING THE RATE PER [illegible]42-43, 1943-44, and 1944- 1945

Serial No.	T.S.No.	Rate per acre fixed by Arbitra-tor as in 1928.	Rate per acre fixed by the Dt.Judge in cases appeal-ed against as in 1928.	Rate fixed by the Executive Authority as on 1.4.1941 1.4.1942 1.4.1943.	Contribution payable for each of the years 1941-1942 1942-1943 1943-1944.	[illegible]e fixed as 1. 4. '44.	Contribution payable for 1944-45.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				-17-			
293	234/6E	3000		3000	3300	3. 6. 0	
294	235	3000	Claim for bett. contribution disallowed by Dt.Judge.	3000			
295	236			3000			
296	240/2	3000		3000	3500 3400	10 4 5	
297	240/3	3000		3000	3500	7 8 0	
298	241/1A	3000		3000	.3400	8 1 7	
299	241/1B	3000		3000	3500	9 6 0	
300	241/3A	3000		3000	3300	6 4 3	
301	242/3B	3000		3000	3200	1 2 3	
					3411. 5. 6		14,388.10.11

Municipal Office, Mangalore,
Dated the 14th March 1945.

COMMISSIONER
MANGALORE MUNICIPALITY.

H/ 14.3.45.

COMPD:-

****

LIST OF LANDS INCLUDED [illegible] AND THE AMOUNT OF RENTAL COMPENSATION IN THE [illegible] TO BE FIXED BY THE ARBITRATOR AS IN LANDS AND THE AMOUNTS AUTHORITY IN [illegible] SCHEME SHOWING THE RATE PER ACRE AND AMOUNT OF RENTAL COMPENSATION PAYABLE [illegible]-45, 1945-46, and 1946- 1946

Serial No. (1)	T.S.No. (2)	Date per acre fixed by Arbitrator for 1938. (3)	Date per acre fixed by the Executive Engineer, Ahmednagar Dt. Nagar in [illegible]-ed applied as on 1.4.1941 (4)	Date fixed by the Executive Engineer, Ahmednagar as on 1.4.1942 1.4.1943. 1.4.1944. (5)	Contribution payable for each of the years 1941-1942 1942-1943 1943-1944. (6)	Date fixed as [illegible] Dn 1. 4. '44. (7)	Contribution payable for 1944-45. (8)

1)

Order 984 P.H. dated 12.4.45 ~~M.S. Memo No. 2734-3 H&RH dated 3.45~~

EPHCH

27/3/45

Town-planning - Mangalore Municipality - Falnear Town-Planning scheme - Betterment Contribution - waiver of a portion - Permitted

1/11/4

pp1-2 cf. Ref: From the Commissioner, Mangalore Mplty, Ref-C3-12546-44 dated 15.12.44

pp5-6 cf. From the D.T.P; R.C No 2472-44 dated 15.1.45

pp9-10 cf. From the Commr, Mangalore Mplty, Ref: C3-12546-44 14.3.45

The proposal of the Municipal Council (vide Res. No. 398/20th November 1944) Mangalore to postpone the levy of betterment contribution in respect of the properties in the Falnear Town-planning Scheme area for the duration of the war is not approved.

~~The Municipal Council is requested to levy the betterment with effect from the year 1944-45 on~~

2. The Council has made the proposal apparently from the reason that levy of the Contribution on the basis of the valuation made on the 1st April 1944 will involve hardship to owners of property in the area. (ETO)

In order to mitigate any such hardships, the Municipal Council is permitted to levy the Contribution on the basis of the valuation of the properties as on 1st April 1943. The levy should be made from 1944-45.

~~previous financial year the difference between the valuations for the year of levy and for the previous financial year will however be levied~~

The Comm^r should take action urgently in the matter on the lines of the instructions in this order.

KHS 28.3.45

28.3.45

29/3/45

Dempd K.M 16-4-45

✓ The Comm^r, Bangalore municipality through the C.I.C.E

✓ The D.T.P.

✓11 Exam & file

Clear copies for sale

GOVERNMENT OF MADRAS

Abstract.

TOWN-PLANNING -- Mangalore Municipality - Falneer Town-Planning Scheme - Betterment contribution -- Waiver of a portion -- Permitted.

Education and Public Health Department.

G.O.Ms.No.984.P.H., dated the 12th April 1945.

Read the following:

From the Commissioner, Mangalore Municipality, Ref.C3-12546-44, dated the 15th December, 1944.

From the Director of Town-Planning, R.C.No.2472-44, dated the 15th January, 1945.

From the Commissioner, Mangalore Municipality, Ref:C3-12546-44, dated the 14th March, 1945.

****

ORDER:

The Proposal of the Municipal Council, Mangalore in its Resolution No.39, dated the 20th November, 1944 to postpone the levy of betterment contribution in respect of the properties in the Falneer Town-Planning Scheme area for the duration of the war, is not approved.

2. The Council has made the proposal apparently for the reason that levy of the contribution on the basis of the valuation made on the 1st April, 1944 will involve hardship to owners of property in the area. In order to mitigate any such hardship, the Municipal Council is permitted to levy the contribution on the basis of the valuation of the properties as on the 1st April, 1943 The levy should be made from 1944-45.

The Commissioner should take action urgently in the matter on the lines of the instructions in this order.

(By order of His Excellency the Governor).

C.O. Cooroy,

Deputy Secretary to Government.

To the Commissioner, Mangalore Municipality
through the Chairman, Municipal Council.
" Director of Town-Planning.
" Examiner of Local Fund Accounts.

(True Copy)

F o r w a r d e d - BY ORDER.

C3.12.4. SUPERINTENDENT.

C/C

C3/12546/44.

Municipal Office, Mangalore
Dated the 26th April 1945.

From
Sri S.Suryanarayana Rao, M.A.,
Commissioner, Mangalore Municipality,
Mangalore.

To
The Secretary to the Government
Madras, Education and Public Hea
Madras,
Through the Chairman, Municipal cou
Mangalore, and
Director of Town Planning, Madra

SIR,

Subject:-Town Planning - Mangalore Municipality - Falnir Town Planning scheme - Betterment contribution.

Ref: G.O.No.Ms 984 Education and Public Health Dept., dated the 12th April 1945.

====

In the G.O. noted above Government have been pleased to pass o

c.9.C/ 3 H

F 31 (1)

a/ 5-6-45

...already ... ...ermit
... bill to levy the contribution on the basis of valuation
... as earlier as on 1-4-43 with a view to eliminate hard
... owners of property. The same basis may be adopted for levy
... betterment contribution for 45 46 and subsequent years
... the duration of the war.

R Nanjundam 9.6.45

For Director of Town Planning

To
The Secretary to Government
Education and Public Health Department.

NSR 7.6

12 JUN 1945

26342

EPH(H)

Memo No 26342-1 H.P.H dated 15.6.45

41
15/6

Town-Planning - Mangalore Municipality - Palmar Town-planning scheme - Levy of betterment contribution Valuation to be adopted for 1945-46.

pp1-2 cf

Ref: From the Commr., Mangalore Mplty, C3:12546-44/26.6.45

P.3 cf

From the D.T.P Endt No 950-45 @ 5.6.45

15/6

The municipal Council, Mangalore may adopt the basis of valuation of the properties as on the 1st April 1943 for the levy of betterment contribution for 1945-46, ~~and subsequent years for the duration of the war~~.

To
~~The~~ Commr., Mangalore Mplty through the chairman
~~The~~ D.T.P

14.6.45

15/6/45

Despd
16.6.45

Note:- The adoption of valuation of ~~this~~ the properties as on 1.4.44 or on 1.4.45 will give

hardship to the owners of the properties. If it is only to mitigate such hardship the Council was advised to adopt the basis of valuation of the properties as on 1-4-43 for levying the betterment contribution from 1944-45. That basis may perhaps be adopted for the levy of the contribution for 1945-46 and for subsequent years for the duration of the war. ~~This is also the~~ Dir's suggestions at p3 ante. Subject to approval, the draft above is submitted.

see pl 4-5 ante (P)

KMS 14.6.45

14.6.45

15/6/45

These papers may be filed with the G.O at (P).

KMS 18.6.45

18.6.45

19/6/45

From the Commr., Mangalore Mty., Ref.C.3.12546-44 d/ 15-12-44.
From the D.T.P., R.C.No.2472-44 dated 15-1-1945.

-:-:-

Sub: Town-Planning - Mangalore Municipality - ~~Kalmeer~~ Falnir T.P. Scheme - Betterment contribution - postponement for the duration of war.

-:-:-

The proposal of the Municipal Council, Mangalore is that the levy of betterment contribution in the ~~Kalmeer~~ Falnir Town-Planning area be postponed for the duration of the war. The reason for the proposal is somewhat similar to the reason advanced by the Coimbatore M.C. for waiving the Collection of the contribution, namely, that assessments will have to be based upon the land values which have appreciated on account of the war conditions. Pending the orders of Govt. on the proposal assessments have been kept in abeyance.

2. At the time when the T.P.Scheme was sanctioned by Govt in 1937 it was anticipated that the annual income from betterment would be Rs.4,000/-. Even though the arbitrator passed his award on the claims for betterment in 1941, the Council has not so far levied the contribution in respect of any year, ~~so far~~ There is no information as to the extent of the increase in valuation which war conditions have caused this year or the

Item 2 at Mon p. 11 of 8 PM 16.3.37 (P) 3.3.37

P.T.O

the approximate amount of the loss which the Council will incur, if its proposal is approved. It is for consideration whether this information may be obtained urgently.

3. The D.T.P. is not in favour of the proposal. However under the law collection of betterment is optional; and if the Council decided to waive the collection, no objection need perhaps be raised to the course proposed. However after getting figures in respect of 'A' above the Council may be advised to collect at least a portion of the contribution from 1945-46

page 5-6 c

4. For orders.

Figures in respect of 'A' together with the basis on which they have been worked out may first be got

23.1.45

24/1/45

A draft memo is submitted for approval.

25.1.45

25.1.45.

28/1/45

[Memo No 2724-1 H.P.H dated 25.1.45] pg 7-8 c

From the Commr, Bangalore Mpltty, No 12546-44 14.3.45. pg 9-10 c

Please see the reply of the Commissioner, Bangalore municipality, to the memo at pages 7-8 c/f. ~~In view of the~~

PTO

Column (7) of the statement on pages 11-27 of files the figures of the land value per acre as on 1.4.1944. There is no doubt that according to the Comm.'s statement the values of 1.4.44 show some marked increase over those of 1928 (as fixed by the Arbitrator) and more determined by the Comm.r in 1941, 1942 and 1943. The total demand on account betterment for 1944-45 is stated to be Rs 14388/- If the Council's proposal is approved it will be foregoing a considerable sum, and to this extent the Council's town-planning fund will be the poorer. As stated by the Comm.r the maximum leviable under Sec 23 of the T.P. Act is 50 per cent of the increase in value. Any amounts collected over an above this limit will be refundable under Rule 58A(4) of the T.P. Rules. There does not seem to be any reason why the Council should not make the levy at least from 1945-46, especially as the net cost of the scheme works was estimated at Rs 53 000 in 1937 and is likely to be more now.

p-2 cf

As may see I think the Chc Council, for similar reasons, decided to leave the assessment of 20 B.45 b.c. at the assessment made for some previous year due to evade the recovery of the balance. Instead of viewing the entire b.c., this Council may adopt a procedure similar to Chc. Let me see that file.

23/8/45

PTO

Please see D.S's orders on the previous page. The file referred to by D.S is at ⊗.

KH 23.3.45

The Coimbatore municipal Council's proposal was that the levy of betterment Contribution from 1943-44 may be made on the basis of the Valuation of 1942-43. This was approved by the Manager (X). There does not be any objection to this ~~being~~ levy being made. It is for consideration whether the levy should begin from 1944-45 or 1945-46.

Yrs. faithfully

24-3-45

22/3/45

A draft memo is submitted for approval

L.A may see before circulation to A2.

KH 28.3.45

28.3.45

29/3/45

LA

29/3

Eph(H)

No 2724-3H/44

29-3-45

L.A. Deptt

The draft memo may be perused and the file returned to this

Eph Deptt

2 APR 1945

29/3

4/4/45

4/4/45

Misc fee

4/4/45 Eph 8117

Eph (H) Dept.

Under the Falneer Town Planning Scheme, Mangalore, the Mangalore Municipal Council is empowered to levy betterment contribution in the area annually at 7½ p.c. of the increase in value for a period of 20 years. The Council has not so far levied this contribution, ~~The Council observes~~ and it feels that, as land values have now appreciated owing to conditions brought about by the War and as the betterment contributions to be levied has to be based upon such increased

2/4/45

R/3

L.A. dis No. 8117/45 LA

dt 6.4.45

7 - APR 1945

para 3 of

p. Ley

file rec'd

6-4-45

land values, the owners of property in the area will find the burden on account of the contribution heavy. The Council has therefore proposed that the levy may be postponed for the duration of the war.

p-3 c/

There is some force in the plea that collections based upon the present land values will be much more than what they would have been, had they been made, on the basis of the past years' valuation. There is, however, no reason why the council should deny itself the benefit of the Collections entirely, especially as funds will be ~~xxx~~ required by the council for works under the scheme. The Council's objection to the levy of the contribution on the basis of inflated values will be met if it is permitted to ~~make~~ levy contribution with reference to the values determined as on 1st April 1943; the levy being made as from the year 1944-45.

Rc 27 cf.
As on 1 4 43
Rc/4388
3-2-3-44
✓ Rs10977

This proposal will involve the foregoing by the council of an amount of about Rs.11,000/- A similar proposal was sanctioned in the case of Coimbatore Municipality.

For orders.

The above & the draft may be approved.

(*) Memo 1883 HE X/3 cf 26.1.45.

7.4.45

Approved
10/4/45

A 2

OS
11/4